

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:22-cv-00137-RJC**

BENJAMIN GRAY,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.


Order

THIS MATTER is before the Court on the Plaintiff's Consent Motion for Attorney's Fees Under the Equal Access to Justice Act (Doc. No. 19). By consent of the parties, the Court orders as follows:

1. The Social Security Administration shall pay \$5,600.00 in attorney's fees to the Plaintiff in full settlement and satisfaction of any and all claims for attorney's fees for legal services rendered under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412(d).
2. With respect to the Plaintiff's signed assignment of EAJA fees to his attorney, in accordance with *Astrue v. Ratliff*, 560 U.S. 586 (2010), the Commissioner will determine whether the Plaintiff owes a debt to the United States. If so, the debt will be satisfied first and, if any funds remain, they will be made payable to the Plaintiff and mailed to the Plaintiff's counsel. If the Department of the Treasury reports to the Commissioner that the Plaintiff does not owe a federal debt, the government will exercise its discretion and honor the assignment of EAJA fees and pay the awarded fees directly to the Plaintiff's counsel.

IT IS, THEREFORE, ORDERED that the Plaintiff's Consent Motion for Fees (Doc. No. 19) is **GRANTED**.

Signed: June 6, 2023


Robert J. Conrad, Jr.
United States District Judge

